

Practitioner's Docket No. U 011573-2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: K. KIRJAVANEN, ET AL.

Serial No.: 10010,440

Group No.: 3752

Filed: NOV. 11, 2001

Examiner: J. HOOK

For: PIPE

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37 C.F.R. 1.116
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REQUEST FOR NEW ACTION

A new Action is requested, because the Action of December 3, 2003, fails to consider the Communication of October 1, 2003, which supports traversal of the rejections.

Respectfully submitted,

William R. Evans
c/o Ladas & Parry
26 West 61st Street
New York, New York
Reg. No. 25858
Tel. No. (212) 708-1930

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

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(Amendment or Response after Final Rejection—First Page) 9-20.1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kari KIRJAVANEN, et al.

Serial No.: 10/010,440

Group No.: 3752

Filed: November 8, 2001

Examiner: J. Hook

For: PIPE

Attorney Docket No.: U 011573-2

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COMMUNICATION

In support of the call for a declaration under 37 CFR 1.104(d)(2) and distinction of the claimed electrode layer from the antistatic disclosure of the cited Nishino patent in the Response of September 12, 2003, the applicant attaches copies of pages 628-631 of Zweifel, H., ed., Plastics Additives Handbook of 2001.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

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Date: October 1, 2003DATE: 10/1/03

CHARGE: _____

The date of the Handbook is not prior art to the 1995 priority of the application, but the Handbook supports the applicant's position that the antistatic disclosure of the Nishino patent does not suggest the electrode of the claimed invention, whereby any such suggestion should be supported by another reference or a declaration of the Examiner's knowledge of the suggestion.

The Handbook supports the applicant's position at section 10.2.2 Internal Antistatic Additives: "The conductive path consists of a thin water layer, which the antistatic additive adsorbs from the atmosphere." A water layer is not an electrode layer as claimed.

Respectfully submitted,



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